REMARKS

The Office action has been carefully considered. Claims 1-14 and 16-30 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Etzion et al., U.S. Patent No. 6,604,093 (hereinafter "Etzion") in view of Cohen et al., U.S. Patent No. 6,477,585 (hereinafter "Cohen"). Additionally, claim 15 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Etzion in view of Cohen and in further view of Iyenger et al., U.S. Patent No. 6,018,627 (hereinafter "Iyenger").

By present amendment, independent claims 1, 19, and 29 have been amended to more particularly point out and distinctly claim the invention. Applicants submit that the claims as filed were patentable over the prior art of record, and that the amendments herein are for purposes of clarifying the claims and/or for expediting allowance of the claims, and not for reasons related to patentability. Reconsideration is respectfully requested.

Applicants thank the Examiner for the interview held (by telephone) on March 7, 2005. During the interview, the Examiner and applicants' attorney discussed the various sections of the application and independent claims 1, 19 and 29 with respect to the prior art. The essence of applicants' position is incorporated in the remarks below.

Turning to the 35 U.S.C. § 103(a) rejections, applicants' invention relates to a method and system that uses a trigger engine and infrastructure for event registration and handling. In one embodiment, a switchbox component (of which each trigger engine is a proxy) performs the "fan-in" and "fan-out" of the events consumed and generated by the trigger engine. This includes concentrating multiple similar requests for event notification into a single base event. For example, if a first client requests event notification when a remote file exceeds a certain size and a second client requests event notification when the

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remote file is deleted, the requests are combined into a single base event request for notification when the file is modified in any manner. The switchbox maintains tables to track which client registered for which type of notification. In this manner, only the base event request is registered remotely, reducing the number of events that need to be communicated to remote servers.

Whenever the base event occurs, the switchbox is notified and then analyzes the information accompanying the base event request to determine which registered clients should get the event notification. For example, if the information indicates that the file changed and the file size specified by the first client was exceeded, the first client is notified of the event, but the second client is not. Moreover, the switchbox is capable of combining events in a complex manner, such as to notify a client only when events A, B, and C have occurred.

Types of events include time events, job events and other events (such as file system events as described above). To this end, a job card may be provided by a client, such that a job scheduler causes the job to launch when the proper events occur. The scheduler launches the job by loading a trigger engine to connect the job, via the switchbox, to a job dispatcher. The job dispatcher runs the processes needed by the job on remote agents. A trigger engine may be attached to the dispatcher and the agents to communicate with the switchbox, for instance, to fire an event when a job is either complete or has failed.

The above description is for informational purposes only, and should not be used to limit the claims, which are discussed below.

The Office action rejected claims 1, 19, and 29 under 35 U.S.C. § 103(a) as being unpatentable over Etzion in view of Cohen. However, each of these claims essentially

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recites that upon receipt of an event instance corresponding to the base event from the event source that the second trigger engine communicates data indicative of the event instance to the first trigger engine that is configured to determine which of the one or more event requests the event instance corresponds to and once the determination is made to notify the first client of the event instance when the event instance corresponds to the first event request and to notify the second client of the event instance when the event instance corresponds to the second event request.

In contrast to the claims, Etzion never teaches or even suggests anything but, "receiving at least first and second instances of the component events before invoking the reaction; evaluating the first instance subject to the condition, so as to determine whether the first instance can satisfy the rule, *before* evaluating the second instance; and *responsive to* evaluating the first instance subject to the condition, determining that the composite event has occurred and invoking the reaction." Etzion, col. 3, lines 30-38. (Emphasis added). Furthermore, Etzion teaches, "...evaluating a first one of the instances of the invoking event subject to the condition *before* evaluating any subsequent one of the event instances." Etzion, col. 4, lines 25-27. (Emphasis added). In fact, a thorough reading of Etzion in its entirety fails to provide any indication that Etzion even contemplates a system for receiving data indicative of the event instance from a second trigger engine to the first trigger engine that is configured *to determine which of the one or more event requests the event instance corresponds to* and *once the determination is made* to notify the first client of the event instance when the event instance corresponds to the first event request and to notify the second client of the event instance when the event instance corresponds to the second event request. (Emphasis added).

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Moreover, Etzion does not disclose, suggest, or remotely hint at determining which of the one or more event requests the event instance corresponds to and once the determination is made to notify clients of the event instance when the event instance corresponds to an associated event request. Rather, if anything, Etzion *teaches away* from notifying clients of the event instance when the event instance corresponds to an associated event request as Etzion teaches a proscriptive methodology of evaluating whether the first instance can satisfy the rule before evaluating the second condition. Etzion, col. 5, lines 30-35.

Similarly, Cohen does not disclose or suggest determining which of the one or more event requests the event instance corresponds to and once the determination is made to notify clients of the event instance when the event instance corresponds to an associated event request. Thus, in any permissible combination, the cited references still fail to disclose or suggest applicants' invention.

By law, in order to establish prima facie obviousness of a claimed invention, all of the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). In addition, "all words in a claim must be considered in judging the patentability of that claim against the prior art." *In re Wilson*, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970). Further, if prior art, in any material respect teaches away from the claimed invention, the art cannot be used to support an obviousness rejection. *In re Geisler*, 116 F.3d 1465, 1471, 43 USPQ2d 1362, 1366 (Fed Cir. 1997).

Regarding the rejections of independent claim 1, claim 1 generally recites a first trigger engine configured to register event requests that include a first event request from a first client and a second event request from a second client and to concentrate the first and

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second event requests into a base event request, a second trigger engine configured to communicate with the first trigger engine to receive a registration of the base event request at the second trigger engine and further configured to receive notification of an event of the event source corresponding to the base event, and upon receipt of an event instance corresponding to the base event from the event source the second trigger engine communicates data indicative of the event instance to the first trigger engine and the first trigger engine configured to determine which of the one or more event requests the event instance corresponds to, and wherein if the event instance corresponds to the first event request then the first trigger engine notifies the first client of the event instance, and wherein if the event instance corresponds to the second event request then the first trigger engine notifies the second client of the event instance.

The Office action directs the applicants to column 17, lines 15-20 of Etzion. Office action, sec. 3, pg. 2. However, a closer reading of the cited text reveals the cited text refers to a "complex event." Etzion, col. 15, lines 30-35. Etzion defines a "complex event" as "composes specified events." Etzion, col. 8, lines 41-42. Etzion reveals that notifying a user of the system that the situation has occurred includes evaluating the candidate "against the specified conditions of the situation at a step 236. If the conditions are satisfied, then the evaluation proceeds to the next operand, at a step 240, until all of the operands have been evaluated. Once it is determined, at a step 238, that the last of the operands has been evaluated, and the conditions on all of the candidates are satisfied, the evaluation is completed, at a step 252, and the process returns to step 210 (FIG. 7B). On the other hand, if the conditions of the situation are not satisfied at step 236, the process must determine, at a step 242, whether to go on evaluating other candidates in the list." Etzion, col. 15,

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lines 34-44. In other words, Etzion proscriptively evaluates whether the first instance can satisfy the rule before evaluating the second condition. At least for these reasons, claim 1 and the claims that depend thereon are patentable over the cited art.

Moreover, the Office action does not provide proper motivation for combining Etzion with the subject matter discussed in Cohen. However, by law, in order to support a § 103(a) rejection, there must be some teaching, suggestion, or motivation other than applicants' teachings for modifying a cited reference or combining references to achieve the claimed invention. The Office action does not indicate any suggestion or motivation in the prior art of record, either explicit or otherwise, for modifying the references or combining the references in a manner that would achieve the claimed invention, or point out any teaching as to how such a modification or combination might be accomplished, or what might be accomplished thereby. Instead the Office action merely recites, "It would have been obvious...to modify Etzion et al. with grouping of event requests as taught by Cohen et al., because grouping event requests allows more efficient organization of the event requests." Office action, sec. 3, pg. 3. Such broad, conclusory statements do not come close to adequately addressing the issue of motivation to combine, are not evidence of obviousness, and therefore are improper as a matter of law. In re Dembiczak, 175 F.3d 994, 999, 50 USPQ2d 1614, 1617 (Fed. Cir. 1999).

Further, any motivation for combining Etzion with the subject matter claimed in Cohen, comes directly from applicants' teachings, not from any of the cited references. See applicants' disclosure, pg. 11, line 18 - pg. 12, line 12 and pg. 16, lines 9-23. It is well settled that such a hindsight reconstruction based on applicants' teachings is impermissible by law, as in order to support a § 103(a) rejection, there must be some teaching, suggestion,

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or motivation other than applicants' teachings for modifying a cited reference or combining references to achieve the claimed invention.

Furthermore, even if the references were somehow combinable in the manner suggested by the Office action (which they are not), they would still fail to teach a system for notifying clients of job-related events of an event source as recited in claim 1. At least for this additional reason, claim 1 and the claims that depend thereon are patentable over the cited references.

Similarly, independent claims 19 and 29 are patentable over the cited art. Claim 19 recites: receiving from a first client a first request corresponding to a first event on a remote server, the first request including information specific thereto; receiving from a second client a second request corresponding to a second event on the remote server, the second request including information specific thereto; maintaining information specific to each event request in association with each client; concentrating the first and second event requests into a base event request; registering the base event request at the remote server; receiving notification of the base event, the notification including event-specific information about the base event; analyzing the event-specific information to determine *which of the one or more event requests the event instance corresponds to*; notifying the first client if the event-specific information corresponds to the information specific to the first event request associated with the first client; and notifying the second client if the event-specific information corresponds to the information specific to the second event request associated with the second client. (Emphasis added). Claim 29 recites: a job scheduler component configured to request running of a job in response to at least one event; a job dispatcher component configured to control the running of the job; a switchbox

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configured to register event requests from the job scheduler component and to notify the job scheduler upon occurrence of each event corresponding to an event request therefrom, the switchbox further configured to register event requests from the job dispatcher component and to notify the job dispatcher upon occurrence of each event corresponding to an event request therefrom; and the job scheduler being notified of an event, *determining which of a plurality of jobs are associated with the event*, and requesting running of *one or more jobs associated with the event* by triggering an event in the switchbox, the switchbox providing the event to the job dispatcher to cause execution of the *one or more jobs*. (Emphasis added). As discussed above, the cited references do not disclose or suggest *determining which of the one or more event requests the event instance corresponds to* and *once the determination is made* to notify clients of the event instance when the event instance corresponds to an associated event request. Thus, claims 19 and 29 and the claims that depend thereon are patentable over the cited references.

Turning to the rejection of dependent claim 15 of the present invention, the Office action rejected claim 15 under 35 U.S.C. § 103(a) as being unpatentable over Etzion in view of Cohen and in further view of Iyenger. Applicant respectfully submits that the rejection of claim 15 is improper. Claim 15 depends from independent claim 1. For the reasons stated above with reference to claim 1, Etzion does not disclose, teach, or even suggest the limitations of claim 1. Furthermore, Etzion actually *teaches away* from the limitations of claim 1, and therefore, Etzion cannot be properly combined with Cohen and Iyenger to reject claim 15 under 35 U.S.C. § 103(a).

Regarding dependent claim 18, the Office action rejected claim 18 and the Examiner took Official Notice that, "is old and well known to use an access checking

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mechanism." Office action, sec. 3, pg. 4. Applicants challenge this unsupported statement, and specifically request that any claim rejections based on this statement be withdrawn, or submit that a reference or references in support must be provided, including a motivation to combine such a reference with Etzion in a manner that would reach the claimed subject matter. See M.P.E.P. § 2144.03.

For at least these reasons, applicants submit that all the claims are patentable over the prior art of record. Reconsideration and withdrawal of the rejections in the Office action is respectfully requested and early allowance of this application is earnestly solicited.

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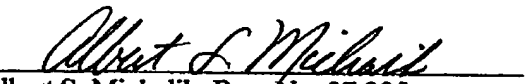
CONCLUSION

In view of the foregoing remarks, it is respectfully submitted that claims 1-30 are patentable over the prior art of record. Applicants also respectfully submit that the application is in good and proper form for allowance. A favorable action on the part of the Examiner is earnestly solicited.

If in the opinion of the Examiner a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney at (425) 836-3030.

Respectfully submitted,



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CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this Amendment, along with transmittal and facsimile cover sheet, are being transmitted by facsimile to the United States Patent and Trademark Office in accordance with 37 C.F.R. 1.6(d) on the date shown below:

Date: April 11, 2005

Albert S. Michalik

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